

Harry L. Bierley,	:	The United States District Court
Petitioner	:	Western District of Pennsylvania
V	:	CA 04-363E Habeas Corpus
Warden James Veschecco,	:	MJ Susan Paradise Baxter
REspondent	:	J Sean McLaughlin

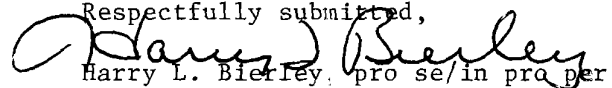
Motion For Leave Of Court To Proceed In Forma Pauperis

The petitioner asks leave to file the attached appeal to the Third Circuit Court without prepayment of costs and to proceed in forma pauperis.

Petitioner has NOT previously been granted leave to proceed in forma pau;eris in any other court on this habeas corpus petition.

Petitioner's declaration in support of this motion is attached hereto.

Respectfully submitted,


Harry L. Bierley, pro se/in pro per

FILED

'06 SEP 29 P2:52

CLERK
U.S. DISTRICT COURT

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

T. Danny L. Beerley, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>950</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>950</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
NONE			\$ 0
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
NONE			\$ 0
			\$
			\$

4. How much cash do you and your spouse have? \$ 35.00
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
PNC	CHECKING	\$ 150.00	\$ 0
		\$	\$
		\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

<input type="checkbox"/> Home ^{\$41,000 assessed} Value <u>less than 25,000 actual</u> <u>if it were possible to sell it</u> <u>in bad condition.</u>	<input type="checkbox"/> Other real estate Value <u>0</u>
<input type="checkbox"/> Motor Vehicle #1 <u>1988</u> Year, make & model <u>PLYMOUTH</u> Value <u>\$250.00</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>0</u> Value <u>0</u>
<input type="checkbox"/> Other assets Description <u>CD \$1353 CD \$5000</u> Value <u>UNAVAILABLE BECAUSE THEY ARE ADDITIONAL</u> <u>SECURITY FOR HOUSE LOAN.</u>	

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
<u>NONE</u>	<u>N.A.</u>	<u>N.A.</u>
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>90.00</u>	\$ <u>0</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>90.00</u>	\$ <u>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>250</u>	\$ <u>0</u>
Clothing	\$ <u>25</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ _____	\$ <u>0</u>
Medical and dental expenses	\$ <u>20</u>	\$ <u>0</u>

	You	Your spouse	
Transportation (not including motor vehicle payments)	\$ 125.00	\$ 0	✓
gas/oil/repairs, et al or			
Recreation, entertainment, newspapers, magazines, etc.	\$ 10.00	\$ 0	✓
Insurance (not deducted from wages or included in mortgage payments)			
Homeowner's or renter's	CANNOT AFFORD \$ 0	\$ 0	
Life	\$ 0	\$ 0	
Health	\$ 107.50	\$ 0	
Motor Vehicle	\$ 75.00	\$ 0	
Other: MEDICAL Vets Hosp 65			
CO PAYMENTS Med cop 50	\$ 140.00	\$ 0	
attorn 25			
Taxes (not deducted from wages or included in mortgage payments)			
(specify): HOUSE CITY/SCH/COUNTY	\$ 116.00	\$ 0	
Installment payments			
Motor Vehicle	\$ 0	\$ 0	
Credit card(s) AVERAGE	\$ 350	\$ 0	
Department store(s)	\$ 0	\$ 0	
Other:	\$ 0	\$ 0	
Alimony, maintenance, and support paid to others	\$ 0	\$ 0	
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0	
Other (specify):	\$ 0	\$ 0	
Total monthly expenses:	\$ 1308.50	\$ 0	

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

*Besides expenses listed I am pay, approx average
of \$100/mo legal expenses fighting a criminally
corrupt PA Judgecar, Esp, the PA criminally
corrupt judiciary. I am actually BANKRUPT.
I declare under penalty of perjury that the foregoing is true and correct.*

*Harold Bentley
Sept 26, 2006*